



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SCJ
F. #2017R01691

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 13, 2021

By ECF

The Honorable Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Aronov et al.
Criminal Docket No. 19-408 (MKB)

Dear Judge Brodie:

The government respectfully submits this letter on behalf of the government and defense counsel to request that the status conference scheduled for January 21, 2021 at 10:30am be adjourned for at least 30 days. All defendants consent to the adjournment.

In addition, the government respectfully submits this letter to request that the Court enter an order of excludable delay in the above-captioned matter. The government has conferred with defense counsel, they join in this request.

The Speedy Trial Act provides this Court with broad discretion to grant a “continuance on the basis of [its] findings that the ends of justice served by taking such action outweigh the best interests of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). In determining whether to grant an application for a continuance on this basis, the Court must consider, among other factors, the complexity of the case, the reasonable time necessary for effective preparation by counsel, and whether failure to grant a continuance would make the proceeding impossible or result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(B).

Here, the defendants are still reviewing discovery and the parties need more time to prepare, particularly under current circumstances. See 18 U.S.C. § 3161(h)(7)(B)(ii), United States v. Levy, No. 20-CR-087, ECF No. 25 at 2 (E.D.N.Y. Apr. 22, 2020) (Kovner, J.) (excluding time in part because “the pandemic substantially complicates trial preparations, justifying an expansion of the amount of time allotted for such preparations”).

In addition, at least some of the parties are engaged in plea negotiations in an effort to resolve this case short of trial, and permitting time to pursue those negotiations is in the interests of justice. 18 U.S.C. § 3161(h)(7)(A)-(B) (excluding period of delay where it sufficiently serves the ends of justice and noting that the ends-of-justice factors set forth in the statute are non-exhaustive).

For the reasons set forth above, the government respectfully submits that an exclusion of time under the Speedy Trial Act is necessary and appropriate given the facts of this case, and respectfully requests that the Court enter an order of excludable delay for the time period from January 21, 2021 through the next status conference date.

Respectfully submitted,

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By: /s/
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cc: Defense Counsel (by ECF)
Clerk of the Court (by ECF)